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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,420	03/07/2002	Manuel Nedbal	01.285.01	7937
7590 04/10/2006			EXAMINER	
Zilka-Kotab, PC P.O. Box 721120 San Jose, CA 95172-1120			LIN, KELVIN Y	
			ART UNIT	PAPER NUMBER
			2142	
DATE MAILED: 04/10/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/092,420

Applicant(s)

NEDBAL ET AL.

Examiner

Kelvin Lin

Art Unit

2142

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 February 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

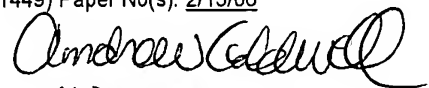
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: na.
Claim(s) objected to: na.
Claim(s) rejected: 1-4, 9, 14-21, 26, 31-38, 43 and 48-54.
Claim(s) withdrawn from consideration: na.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 2/15/06
13. ☒ Other: See Continuation Sheet.


ANDREW CALDWELL
PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues that Uszok discloses a botServer manager that only provides a communication channel between plug-ins and other plug-ins and bots does not meet applicant's claim agent process from which "at least a portion of said operation of said operation specifying data.

The Office respectfully disagrees.

Uszok discloses in page 9, [0092], that the user (via mBot) may wish to revise the bot configuration or request a progress update. First, the botMaster Communication Manager 544 queues the message. Then botMaster Communication Manager sends the message to the botBox during the next synchronization "heartbeat," i.e. botMaster queries the server for new messages periodically, e.g. every few seconds (dynamically configurable). The transmit component is the botBox Communicator 546 within the botMaster's Communication Manager 544. The botServer Communication Manager 404 (on the botServer hosting botBox) receives the message, and forwards it to the botBox Manager 400. The botBox Manager forwards the message to botBox, e.g., 414, and botBox finds the appropriate sBot.

Therefore, the revision of bot configuration or request a progress update are functioning as a portion of operation specifying data.

In addition, applicant argues that Uszok does not disclose the mapping of configuration data specified within said operation specifying data to a configuration data store of said target computer.

Uszok does disclose at Page 10, [0092], that the botBox manager forwards the message to the botBox, and botBox finds the appropriate sBot which functions as mapping of configuration of operation. Moreover, in Page 12, [0111], the configuration block 722 can be used for selecting or configuring a required logical function to be carried out by the logic block 702. For example, the configuration block 722 can receive parameters from the user control block, incorporate them and provide them in a call to the logic block 702. The mBot can also send messages to the sBot by utilizing a send-message block 740. All messages originating in the send-message block are transmitted to the sBot via a botMaster's message service 742.

Therefore, Uszok does disclose the mapping of configuration data specified within said operation specifying data to a configuration data store of said target computer.

Continuation of 13. Other: For the IDS filed on 2/15/06, and 2/21/06, the Examiner is considering only the Office Action Summary, not Office Action, because "Office Action Summary" is listed in the IDS. Furthermore, it is unclear as to the relevance of the Office Action Summary or Office Action.